

**Jon J. Pinney**

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**From:** 'ohndecf@ohnd.uscourts.gov'  
**Sent:** Wednesday, October 08, 2003 10:50 AM  
**To:** OHNDdb\_NEF@ohnd.uscourts.gov  
**Subject:** Activity in Case 5:01-cv-02356-DDD Telxon Corporation v. Paxton, Sr. "Order"

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**U.S. District Court**

**Northern District of Ohio**

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The following transaction was received from P, S entered on 10/8/2003 at 10:49 AM EDT and filed on 10/8/2003

**Case Name:** Telxon Corporation v. Paxton, Sr.

**Case Number:** 5:01-cv-2356

**Filer:**

**Document Number:** 148

**Docket Text:**

Order placing under seal a proposed Memorandum Opinion ruling on Telxon's Motion for Summary Judgment. Oral argument regarding proposed Memorandum Opinion to be held on 10/22/2003 at 4:00 p.m.. Signed by Judge David D. Dowd Jr. on 10/6/03. (Attachments: # (1) Appendix Proposed Memorandum Opinion, FILED UNDER SEAL #3342)(P, S)

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP OHNDStamp\_ID=875560366 [Date=10/8/2003] [FileNumber=1108706-0]  
[8375f2e29f27a3a49926fac5a0410d54b7d11e97ab03afd6bb2c6de011705f11ba25a  
600635847526f2f11fc1da428a73f3fb7b6d061203b1d2c85e08b84593b]]

**Document description:**Appendix Proposed Memorandum Opinion, FILED UNDER SEAL #3342

**Original filename:**n/a

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[STAMP OHNDStamp\_ID=875560366 [Date=10/8/2003] [FileNumber=1108706-1]  
[66049d411b5e5eb3b8eb51da8e8a29457d8859b3026d6e3d69403f8f481f69ee36336  
fd97572aaf05782bb16eb0684035e91e51e1045a44b8957fd8d83bf3613]]

**5:01-cv-2356 Notice will be electronically mailed to:**

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10/10/2003

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**5:01-cv-2356 Notice will not be electronically mailed to:**

DOWD, J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Telxon Corporation ,	)	
	)	CASE NO. 5:01CV2356
Plaintiff(s),	)	
	)	
v.	)	<u>ORDER</u>
	)	
John W. Paxton, Sr. ,	)	
	)	
Defendant(s).	)	
	)	

The Court has drafted a proposed ruling on Telxon's Motion for Summary Judgment. The Proposed Memorandum Opinion is attached to this Order as an Appendix. The Clerk is directed to serve this Order and the Proposed Memorandum on counsel for the parties ,but to place the Appendix under seal, since it is still only a proposed ruling.

The Court will conduct oral argument with respect to the Proposed Memorandum Opinion on October 22, 2003, at 4:00 PM. Since Telxon is the losing party in the proposed ruling, it shall have the opportunity to argue first.

IT IS SO ORDERED.

October 6, 2003  
Date

/s/ David D. Dowd, Jr.  
David D. Dowd, Jr.  
U.S. District Judge

**Jon J. Pinney**

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**From:** 'Stacy\_S\_Peters@ohnd.uscourts.gov'  
**Sent:** Wednesday, October 08, 2003 11:07 AM  
**To:** carson@goodmanweissmiller.com; pinney@goodmanweissmiller.com; smith@goodmanweissmiller.com; miller@goodmanweissmiller.com; wertheim@goodmanweissmiller.co; fmazgaj@hcplaw.net; ltucker@hcplaw.net  
**Cc:** Deborah\_W\_Mattei@ohnd.uscourts.gov  
**Subject:** Telxon v. Paxton, 5:01cv2356

Attached is a proposed memorandum opinion which is being served upon you pursuant to Judge Dowd's Order filed today, document # 148.

Order placing under seal a proposed Memorandum Opinion ruling on Telxon's Motion for Summary Judgment. Oral argument regarding proposed Memorandum Opinion to be held on 10/22/2003 at 4:00 p.m.. Signed by Judge David D. Dowd Jr. on 10/6/03. (Attachments: # 1 Appendix Proposed Memorandum Opinion, FILED UNDER SEAL #3342)(P, S) (Entered: 10/08/2003)



Stacy S. Peters  
United States District Court

330-375-5434

10/10/2003